THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.966 of 2007

Dated:18.01.2007

Between:

Eruvuru Venku Reddy.

…Petitioner

and

The Assistant Commissioner.

…Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.966 of 2007

ORDER:

The respondent herein issued notice inviting applications for appointment as Trustees of Board of Trustees of Sri Laxmi Prasanna Venkateswara Swamy Vari Devasthanam situated at North Rajupalem Village of Kodavaluru Mandal in Nellore District. The petitioner, who claims to be a Member of the founders' family assails the said notice *inter alia* on the ground that the same is not in accordance with Rule 4 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Appointment of Trustees Rules, 1987 (for short 'the Rules'). In support of the contention reliance is placed on an unreported decision of this Court in W.P.No.22214 of 2006, dated 27.10.2006, (**Smt. Andal Raghavan v. The Deputy Commissioner, Endowments Department, Kakinada**).

Rule 4 of the Rules requires a notice to be issued in Form-I, which contemplates twenty days time from the date of notice for making applications. Curiously, the notice impugned in this Writ Petition does not specify any time. Therefore, the same is not in accordance with Rule 4 of the Rules. The legal position is not denied.

Therefore, the impugned notice is set aside observing that it shall be open to the respondent to issue notice in Form-I appended to the Rules and take further action in accordance with law.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

18.01.2007
vs